

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**OBIKWE STEPHEN OKWUDIL)
UGOCHUKWU,)**

Plaintiff,)

vs.)

FRED BALLARD, *et al.*,)

Defendants.)

CIVIL NO. 06-581-DRH

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

The records of this action indicate that Plaintiff is in the custody for the Kenosha County Sheriff's Department in Kenosha, Wisconsin. However, mail sent to him there has been returned as undeliverable. Furthermore, the Sheriff's Department has advised the Court that Plaintiff was released from their custody on December 11, 2006, almost a year ago, yet no change of address has been received from Plaintiff. The Court takes judicial notice of similar letters filed in Plaintiff's other cases. In particular, one letter addressed to this Court specifically noted that Plaintiff had "been returned to his country of origin by the United States Department of Immigration" *See Ugochukwu v. CSC*, Case No. 06-cv-418-DRH (S.D. Ill., Doc. 19, filed Dec. 22, 2006).

The Court sees no purpose in prolonging this litigation, as Plaintiff clearly has no intention of pursuing it any further. Accordingly, this action is **DISMISSED WITH PREJUDICE** for failure to prosecute.

IT IS SO ORDERED.

DATED: December 7, 2007.

/s/ David R Herndon
CHIEF JUDGE
UNITED STATES DISTRICT COURT